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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/059,083	01/28/2002	Shell S. Simpson	10008202 -1	3244

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EXAMINER

ENG, DAVID Y

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/059,083

Applicant(s)

SIMPSON ET AL

Examiner

DAVID Y. ENG

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 1/28/2002.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

The active claims are 1-24.

Claims 16 –18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

There is no anticipate basis for “the computer readable medium”. It appears that claims 16-18 should be dependent on one of claims 10-14.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8, 10-11, 13-17, 19-24 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Kraslavsky (USP 5,613,160).

With respect to claims 1, 10, 11, 15 and 24 see at least Figure 1, column 1 line 60 to column 2 line 5, column 14 line 32, column 15 line 34, column 16 line 66 to column 17 line 16, column 20 lines 24-39, table 8 and claim 13 in Kraslavsky.

Kraslavsky teaches:

a method of transmitting a message (see at least claim 13), the method comprising:

transmitting a message (transmit printer status) to a remote destination (over LAN) when each of a set of pre-determined conditions exist, the pre-determined conditions include (see content of Table 8 in Kraslavsky) :

a device encounters an event while processing a job; and

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the job meets a pre-determined criterion.

In claims 2 and 17, the device in Kraslavsky is a printer.

In claims 3-6, 13-14, 21 and 23, see content of Table 8.

In claim 7, the steps recited therein are inherent in submitting print job.

In claims 8, 16, and 22, LAN in Kraslavsky requires IP address and email.

As to claims 19 and 20 the component means as recited in the claim are inherent in the system of Kraslavsky which implements the method steps as recited in claim 1.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kraslavsky (USP 5,613,160) in view of Fillon (USP 5,778,183).

Kraslavsky teaches claim combination set forth above. It does not appear that Kraslavsky teaches transmitting the status message to the user. However, Fillon teaches transmitting printer status message to user (see column 6 lines 42-47 in Fillon) or the recipient affected by such event. From the teaching of Fillon, it would have been obvious to a person of ordinary skill in the art to transmit the status of printer to the user so that the user is able to take appropriate action in response to the message.

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Claims 12 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kraslavsky (USP 5,613,160) and Fillon (USP 5,778,183) further in view of Smyk (USP 5,751,961)

Kraslavsky and Fillon teach claim combination set forth above. It does not appear that Kraslavsky or Fillon teach hyperlink. Transmitting message including hyperlink is well known in the art Smyk teaches transmitting message including hyperlink. See lines 1-9 column 4 in Smyk. From the teaching of Symk, it would have been obvious to a person of ordinary skill in the art to include a hyperlink In the message of Kraslavsky such that the recipient is able to go to a web cite.

A handwritten signature in black ink, appearing to read 'David Y. Eng', with a stylized, flowing script.

DAVID Y. ENG  
PRIMARY EXAMINER